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REMARKS

Applicants have canceled claim 150 without prejudice or disclaimer. Applicants have amended claims 145, 151, 156 and 164 for clarification purposes. No new matter has been added.

On page 2 of the Office Action, claim 156 was rejected under 35 U.S.C. 112, second paragraph, as being indefinite on the grounds that there was no antecedent basis for the phrase “said regions of relatively low liquid resistivity” in claim 156. Applicants submit that there is proper antecedent basis for this phrase. Accordingly, Applicants respectfully request reconsideration and withdrawal of the rejection.

On page 2 of the Office Action, claims 145-151, 153, 155 and 157-166 were rejected under 35 U.S.C. 103(a) as being unpatentable over Osborn, III et al., U.S. Patent No. 5,647,862 (“Osborn”). Applicants disagree with the rejection for the following reasons. First, Osborn does not teach or suggest a distribution layer that comprises a capillary system of an essentially parallel bundle of synthetic fibers. Second, Osborn does not teach or suggest a capillary system that is as effective as the essentially parallel bundle of synthetic fibers of the present invention.

With respect to the first reason, Applicants contend that there is no teaching or suggestion in Osborn to use a capillary system of an essentially parallel bundle of fibers. In fact, Applicants contend that Osborn teaches away from the use of a capillary system of an essentially parallel bundle of fibers. In column 7, lines 36-37, Osborn states that “[s]uitable capillary channel fibers are those designated SW173 available from Eastman Chemical Company.” Applicants submit that SW173 fibers are not essentially parallel. SW173 refers to a crimped “H” shaped capillary

channel staple fiber. According to Applicants, these fibers are prohibited from being close together except at the points of intersection because of the crimping and carding, and SW173 does not possess the parallel inter-fiber capillary structure as does the essentially parallel bundle of the present invention. Applicants also note that in column 8, lines 64-67 and column 9, lines 1-11, none of the other capillary channel fibers disclosed are essentially parallel. Thus, Osborn teaches away from the present invention. Applicants contend that it would not be obvious to one of ordinary skill in the art to select an essentially parallel capillary system in view of Osborn.

Second, Applicants submit that there is no teaching or suggestion in Osborn that more effective and efficient liquid transport could be achieved with a capillary system of an essentially parallel bundle of fibers. Although Osborn may disclose liquid-transporting layers that move fluids by capillarity in Osborn, Applicants submit that such layers are not as efficient. In fact, Applicants submit that the bundle of essentially parallel fibers of the present invention make the present invention more efficient and effective at moving the fluids. Applicants emphasize that the present invention is non-obvious because of the use in the distribution layer of a bundle of essentially parallel fibers. Accordingly, Applicants respectfully request reconsideration and withdrawal of the rejection.

It is noted that on page 3 of the Office Action claim 152 was allowed.

In view of the foregoing, it is respectfully urged that the present claims are in condition for allowance and reconsideration is requested. An early notice to this effect is earnestly solicited. Should there be any questions regarding this application, the Examiner is invited to contact the undersigned at the number shown below.

Respectfully submitted,

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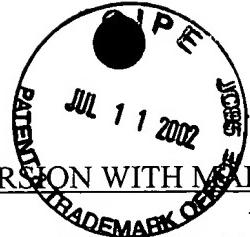
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Enclosures:

Version with markings to show changes made



VERSION WITH MARKINGS TO SHOW CHANGES MADE

145. (Amended) A liquid acquisition/distribution structure comprising:

(1) a top layer that is permeable to a liquid,

(2) a distribution layer comprising a capillary system of an essentially parallel bundle of synthetic fibers providing capillary forces on the liquid when the liquid is in contact with said distribution layer tending to transport the liquid parallel to said top layer, and

(3) a resistance layer having a resistance layer top surface and a resistance layer bottom surface, said resistance layer provides resistance to transmission of the liquid from said resistance layer top surface to said resistance layer bottom surface.

151. (Amended) The structure according to claim 145 wherein said capillary system comprises a bundle of spontaneously transporting fibers arranged so that in a region their axes are essentially parallel to said top layer and said bundle has a MPF_B greater than or equal to 0.14 cc/(den*hr).

156. (Amended) The structure according to claim [154] 145, wherein said resistance layer has regions of relatively low liquid resistivity that are sized shaped and arranged to distribute liquid substantially uniformly to an absorbent core beneath said resistance layer.

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164. (Amended) A liquid acquisition/distribution structure comprising:

- (1) a top layer that is permeable to a liquid and having a region intended for insult by a liquid;
- (2) a resistance layer having a resistance layer top surface and a resistance layer bottom surface, said resistance layer provides resistance to transmission of said liquid from said resistance layer top surface to said resistance layer bottom surface; and
- (3) a distribution layer between the top layer and said resistance layer comprising a capillary system of an essentially parallel bundle of synthetic fibers providing capillary forces on the liquid when the liquid is in contact with said distribution layer, said capillary forces tending to transport the liquid substantially parallel to said top surface;
- (4) wherein said resistance layer comprises
 - (a) a first region directly beneath said region intended for insult by said liquid,
 - (b) a second region that is separated from said first region,
 - (c) a third region that separates said first region from said second region, and
 - (d) said first and second regions have a lower resistance to transmission of said liquid from said resistance layer top surface to said resistance layer bottom surface than said third region.